

Application Number 10/659,408

Filing Date September 10, 2003

First Named Inventor Parikh, Rajiv

Art Unit 1616

Examiner Name Alstrum-Acevedo, James Henry

Attorney Docket Number 021956-000500US

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment/Reply
<input checked="" type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
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<input type="checkbox"/> Information Disclosure Statement

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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	M. Henry Heines		
Date	May 1, 2006	Reg. No.	28,219

CERTIFICATE OF TRANSMISSION/MAILING

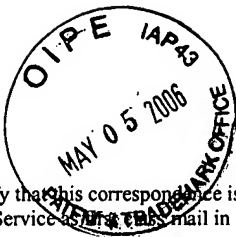
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**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE –
EXAMINING GROUP 1616**

PATENT

Attorney Docket No.: 021956-000500US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rajiv PARIKH et al.

Application No.: 10/659,408

Filed: September 10, 2003

For: **METHOD FOR TREATING
AIRWAY DISORDERS**

Customer No.: 20350

Confirmation No. 4639

Examiner: Alstrum-Acevedo, James Henry

Technology Center/Art Unit: 1616

**REQUEST FOR RECONSIDERATION
UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1616**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Final Office Action mailed April 12, 2006 on the above-referenced application. Reconsideration of the application is respectfully requested for the following reasons.

Rejection of claims 18-27 over Moilanen et al. (US 2002/0193698) in view of Kharitonov et al. (Monaldi Arch. Chest Dis. 1996, 51(6), pp. 533-537)

This rejection is respectfully traversed. Moilanen et al. explicitly state that their disclosure presents two “basic ideas” -- see paragraph [0015] on page 2 of the publication. The first of these “basic ideas” is the measurement and control of the exhalation flow rate to hold it at a “predetermined value,” and the second is the collection of data at a number of different flow